

**72-6-117 Limited-access facilities and service roads -- Access -- Right-of-way acquisition -- Grade separation -- Written permission required.**

- (1) A highway authority, acting alone or in cooperation with the federal government, another highway authority, or another state may plan, designate, establish, regulate, vacate, alter, improve, maintain, and provide a limited-access facility including a service road to the limited-access facility.
- (2) A highway authority may regulate, restrict, or prohibit the use of a limited-access facility by pedestrians, animals, or by the various classes of vehicles or traffic.
- (3) A highway authority may divide and separate any limited-access facility into separate roadways by the construction of raised curbing, central dividing sections, or other physical separations, or by designating separate roadways by signs, markers, stripes, and other appropriate devices.
- (4) A person may not enter, exit, or cross a limited-access facility, except at designated points at which access is permitted by the highway authority.
- (5) A highway authority may acquire, by gift, devise, purchase, or condemnation, private or public property and property rights for a limited-access facility and service road, including rights of access, air, view, and light. All property rights acquired under this section may be in fee simple or in any lesser estate or interest. A highway authority may acquire an entire lot, block, or tract of land, if needed, even though the entire lot, block, or tract is not immediately needed for the right-of-way of the limited-access facility or service road.
- (6) A highway authority may designate and establish limited-access highways as new facilities or may designate and establish an existing highway as part of a limited-access facility.
- (7)
  - (a) A highway authority may provide for the elimination of at grade intersections of a limited-access facility and an existing highway by grade separation, service road, or by closing the intersecting highway.
  - (b) A highway authority may not connect or intersect a limited-access facility without the written consent and previous approval of the highway authority having jurisdiction over the limited-access facility.
- (8) Highway authorities may enter into agreements with each other, or with the federal government, on the financing, planning, establishment, improvement, maintenance, use, regulation, or vacation of limited-access facilities or other public ways in their respective jurisdiction, to facilitate the purposes of this section.

Enacted by Chapter 270, 1998 General Session